

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Lightner and Clendennen

**Application No.** 10/539,213

**Filed:** January 17, 2006

**Confirmation No.** 5168

**For:** GENERATION OF PLANTS WITH  
ALTERED OIL CONTENT

**FILED VIA EFS**

**Examiner:** Elizabeth F. McElwain

**Art Unit:** 1638

**Attorney Reference No.** 7896-71292-08

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COMMISSIONER FOR PATENTS

**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION**

This Amendment and Response to Non-Final Office Action (Amendment) is filed in response to the non-final Office action dated November 28, 2008. A three-month period for response was set, making a response due on or before **March 2, 2009** (since February 28 falls on a Saturday). It is believed that no fees are required to file this Amendment. However, if any fees are required in connection with this filing, please charge deposit account 02-4550.

Please amend this Application as follows:

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page 2.

**Remarks** begin on page 5 and end with a brief Conclusion on page 6.